

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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Southern District of New York
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February 6, 2024

By ECF

Honorable Jessica G.L. Clarke
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Mark Henderson*, 23 Cr. 342 (JGLC)

Dear Judge Clarke:

I write to respectfully request that the Court modify the conditions of Mr. Henderson's bail to permit him to work as a caterer at an event that will extend past his curfew. Pretrial Services – per Officer Marlon Ovalles – objects to the modification on policy grounds, but notes that Mr. Henderson has been wholly compliant with all the conditions of release. The Government – per Assistant U.S. Attorney Thomas John Wright – also objects to the request.

Mark Henderson was arrested on June 10, 2023, and has been compliant with all of his bail conditions since that date. Currently, those conditions include a curfew, enforced by electronic monitoring. Mr. Henderson, who currently works full time as a chef at a restaurant, has been asked to work as a caterer for a Valentine's Day dinner and dance which will take place in Jamaica, Queens. *See* invitation, attached as Exhibit A. Mr. Henderson has worked at this event, which is an annual affair, for the past several years. The event begins on the evening of February 10, 2024, and is scheduled to last until 3:00 a.m. on February 11, 2024.

Accordingly, we are requesting that Mr. Henderson's curfew be extended until 4:00 a.m. on February 11, 2024. As noted above, Pretrial Services objects because its policy is to oppose requests for extensions of curfew past midnight, even for the purposes of employment. This objection is not however, based on Mr. Henderson's individual conduct while on release, which has been exemplary.

Thank you for your consideration of this request.

Honorable Jessica G.L. Clarke
February 6, 2024

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Re: *United States v. Mark Henderson*, 23 Cr. 342 (JGLC)

Respectfully submitted,

/s/

Martin Cohen
Assistant Federal Defender
(646) 588-8317

cc: Thomas John Wright, Esq., by ECF
Marlon Ovalles, Pretrial Services Officer, by e-mail

Application DENIED in deference to the objection of Pretrial Services and cited policy grounds. Given the late hour and based on pretrial services recommendations, the Court denies this request. The Clerk of Court is respectfully directed to terminate the letter motion at ECF No. 22.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge

Dated: February 7, 2024
New York, New York

Exhibit A

*Earl Presents
His 13th Edition*
DINNER & DANCE

Saturday, February 10th 2024

Doors Open 8^{pm} - 3^{am}

MUSIC BY
**DJ MIKE SAGITTARIUS
& DJ RICHIE POO**

SPECIAL GUEST
AJ BROWN

HOSTED BY
LENNY GREEN
QUIET STORM 107.5FM WBLS

OCCASIONS BANQUET HALL
127-08 MERRICK BLVD, JAMAICA, NY 11434

TICKETS \$120/PERSON
ALL INCLUSIVE

FOR INFO, CALL 347.229.6534/347.229.6633

R5VP - 12/30/2023 - 01/30/2024

To Her With Love

